

**NTCAPR, APPEAL**

**United States Bankruptcy Court  
District of Rhode Island (Providence)  
Adversary Proceeding #: 1:02-ap-01046  
Internal Use Only**

06/10/2007

U.S. Bankruptcy Court

U.S. Bankruptcy Court

*Assigned to:* Judge Arthur N. Votolato*Date Filed:* 06/10/02*Related BK Case:* 00-12818*Related BK Title:* Bruce E. Thunberg*Related BK Chapter:* 7*Demand:* \$75000*Nature[s] of Suit:* 454 Recover Money/Property**Debtor**

**Bruce E. Thunberg**  
Box 5158  
Wakefield, RI 02880  
SSN [REDACTED]

represented by **Peter G. Berman**  
Raskin & Berman  
116 East Manning Street  
Providence, RI 02906  
(401) 421-1363  
Email: mail@raskinberman.com

**Stephen R. Famiglietti**  
Famiglietti and Carlin  
The Lincoln Center Suite 205  
132 Old River Road  
Lincoln, RI 02865  
(401) 335-4550  
Fax: 335-4515  
*LEAD ATTORNEY*

**William J. Delaney**  
Tillinghast Licht LLP  
Ten Weybosset Street  
Providence, RI 02903  
(401) 456-1200  
Fax: 456-1210  
Email: wdelaney@tllsllaw.com  
*TERMINATED: 05/05/2004*  
*LEAD ATTORNEY*

**Plaintiff**

**Marc D. Wallick**  
51 Jefferson Blvd.  
Warwick, RI 02888  
(401) 461-0100

represented by **Robert D. Goldberg**  
Goldberg Law Office  
PO Box 557  
Pawtucket, RI 02862-0557

TERMINATED: 06/06/2006

(401) 728-1510  
LEAD ATTORNEY**Lisa A. Geremia**

Geremia & DeMarco  
The Gardens Office Park I  
1350 Division Road, Suite 102  
West Warwick, RI 02893  
(401) 885-1444

represented by **Alden C. Harrington**

Boyajian Harrington & Richardson  
182 Waterman Street  
Providence, RI 02906  
(401) 273-9600  
Email: harrington@bhrlaw.com

**Andrew S. Richardson**

Boyajian Harrington & Richardson  
182 Waterman Street  
Providence, RI 02906  
(401) 273-9600  
Email: andy@bhrlaw.com

**John Boyajian**

Boyajian Harrington & Richardson  
182 Waterman Street  
Providence, RI 02906  
(401) 273-9600  
Email: john@bhrlaw.com

**Robert D. Goldberg**

(See above for address)

V.

**Defendant**

**Wakefield Mill Building, Inc.**  
c/o Andrew G. Sholes, Esq.  
Agent fo Service of Process  
1375 Warwick Avenue  
Warwick, RI 02888  
( )

represented by **Charles S. Beal**  
Cameron & Mittleman  
56 Exchange Terrace  
Providence, RI 02903  
(401) 331-5700  
Email: cbeal@cm-law.com  
LEAD ATTORNEY

Filing Date	#	Docket Text
06/10/2002	<u>1</u>	Complaint (02-1046) Marc D. Wallick vs. Wakefield Mill Building, Inc. . NOS 454 Recover Money/Property . Receipt # 48651 Fee paid \$ 150.00. (Moone,P.) (Entered: 06/10/2002)
06/10/2002		Text not available. (Entered: 06/10/2002)
06/10/2002	<u>2</u>	Summons Issued on Wakefield Mill Building, Inc. Re: [1-1] Complaint NOS 454 Recover Money/Property; Answer due 7/10/02 for Wakefield Mill

		Building, Inc. (Fraatz,F.) (Entered: 06/10/2002)
06/12/2002	<u>3</u>	Motion By Debtor Bruce E. Thunberg Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case (Davis,J.) (Entered: 06/14/2002)
06/12/2002	<u>4</u>	Memorandum by Debtor Bruce E. Thunberg supporting [3-1] Motion to Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case by Bruce E. Thunberg. (Davis,J.) (Entered: 06/17/2002)
06/12/2002		Objection Deadline on [3-1] Motion to Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case by Bruce E. Thunberg; Objections Due 6/25/02 (Davis,J.) (Entered: 06/17/2002)
06/14/2002	<u>5</u>	Summons Served 6/11/02 on Wakefield Mill Building, Inc.. (Fraatz,F.) (Entered: 06/18/2002)
06/26/2002	<u>6</u>	Assented Motion By Defendant Wakefield Mill Building, Inc. To Extend Time Until 7/15/02 to file an answer Served on 6/25/02. [6-1] (Fraatz,F.) (Entered: 06/26/2002)
07/02/2002		Endorsement Order Granting [6-1] Motion To Extend Time Until 7/15/02 to file an answer by Wakefield Mill Building, Inc. ; Answer due: 7/15/02 for Wakefield Mill Building, Inc. bnc (Fraatz,F.) (Entered: 07/02/2002)
07/10/2002	<u>7</u>	Judge's Order Requesting Position Re: [3-1] Motion Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case by Bruce E. Thunberg ; Position Due On 7/30/02 From: Plaintiff Marc D. Wallick. (bnc) *** order requesting position also entered in BK 00-12818*** (Fraatz,F.) (Entered: 07/10/2002)
07/15/2002	<u>8</u>	Motion By Defendant Wakefield Mill Building, Inc. in 02-01046 To Dismiss Case Served On 7/15/02 ; Objections Due 7/29/02 [8-1] (Geraghty,A.) (Entered: 07/17/2002)
07/15/2002	<u>9</u>	Brief/Memorandum by Defendant Wakefield Mill Building, Inc. in 02-01046 Supporting [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. . (Geraghty,A.) (Entered: 07/17/2002)
07/17/2002		Added Attorney As Counsel for Defendant (Geraghty,A.) (Entered: 07/17/2002)
07/24/2002		Terminated Deadline; answer due 7/15/02 - deadline to be reset if necessary after resolution regarding #8 motion to dismiss case. (Fraatz,F.) (Entered: 07/24/2002)

07/30/2002	<u>10</u>	Response [10-1] By Plaintiff Marc D. Wallick To [3-1] Motion Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case by Bruce E. Thunberg. (Barbieri,D.) (Entered: 07/31/2002)
08/01/2002	<u>11</u>	Objection [11-1] By Plaintiff Marc D. Wallick To [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. (Sweeney,C.) (Entered: 08/02/2002)
08/01/2002	<u>12</u>	Motion By Plaintiff Marc D. Wallick To extend Time Until 8/9/02 to respond to [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. Served on 7/31/02 [12-1] (Sweeney,C.) (Entered: 08/02/2002)
08/01/2002	<u>13</u>	Response/no Objection (filed as Statement of Written Position) [13-1] By Motion Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case by Bruce E. Thunberg. (Barbieri,D.) (Entered: 08/05/2002)
08/02/2002		Status deadline on [12-1] Motion To extend Time Until 8/9/02 to respond to [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. by Marc D. Wallick. Motion to extend time sent to chambers. Status Check On 8/5/02. (Sweeney,C.) (Entered: 08/02/2002)
08/02/2002		Status deadline on [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. Check for more responsive answer from Plaintiff. Plaintiff filed an objection (see doc #11) but this objection is DEFECTIVE because there is no memorandum of law attached. Status Check On 8/9/02. (Sweeney,C.) (Entered: 08/02/2002)
08/05/2002		Endorsement Order Granting [12-1] Motion To extend Time Until 8/9/02 to respond to [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. by Marc D. Wallick. (Barbieri,D.) (Entered: 08/05/2002)
08/05/2002		Objection Deadline on [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc; Objections Due 8/9/02. See #12 Motion to Extend Time for details. (Barbieri,D.) (Entered: 08/05/2002)
08/05/2002		Terminated Deadline for Status Check re #12 Motion to Extend Time to Respond to Motion to Dismiss. Motion to Extend Time granted. (Barbieri,D.) (Entered: 08/05/2002)
08/07/2002		Endorsement Order Granting [3-1] Motion Consolidate hearings re: [1-1] Complaint NOS 454 Recover Money/Property and #78 Objection to Claim in Bankruptcy Case by Bruce E. Thunberg. (Barbieri,D.) (Entered: 08/07/2002)
08/07/2002		Text not available. (Entered: 08/07/2002)

08/07/2002		Status deadline on [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc., pending. #3 Motion to Consolidate Hearings re this AP and Objection to Claim #7 in BK (00-12818) has been granted. If Motion to Dismiss is Granted, consolidation hearing re this AP and objection to claim will be moot. Status Check On 8/9/02. (Barbieri,D.) (Entered: 08/07/2002)
08/09/2002	<u>14</u>	Brief/Memorandum by Plaintiff Marc D. Wallick Supporting [11-1] Objection by Marc D. Wallick, to [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. (Cory,L.) (Entered: 08/09/2002)
08/14/2002		Status deadline on [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. Sent to chambers. (A motion to consolidate a hearing on the AP along with an objection to claim (doc #78) in the bk has been granted. If this motion to dismiss is granted, a consolidated hearing would be moot.) Status Check On 8/16/02. (Sweeney,C.) (Entered: 08/14/2002)
08/26/2002		Terminated Deadline re objs to #8 - sent to chambers and new status deadline set. (admin) (Entered: 08/26/2002)
09/04/2002		Hearing Re: [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. and [11-1] Objection by Marc D. Wallick Scheduled For 9:00 9/26/02 at 6th Floor Courtroom. (Barbieri,D.) (Entered: 09/04/2002)
09/23/2002		Hearing Re: [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc., [11-1] Objection by Marc D. Wallick. Hearing rescheduled For 9:30 10/17/02 at 6th Floor Courtroom. bnc/parties called (Fraatz,F.) (Entered: 09/23/2002)
10/15/2002	<u>15</u>	Motion By Plaintiff Marc D. Wallick To reschedule Hearing On:([8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc., [11-1] Objection by Marc D. Wallick) . (Fraatz,F.) (Entered: 10/16/2002)
10/16/2002		Endorsement Order Granting [15-1] Motion To reschedule Hearing On:([8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc., [11-1] Objection by Marc D. Wallick) by Marc D. Wallick. Hearing reset To 9:30 11/19/02 at 6th Floor Courtroom. bnc & parties called (Fraatz,F.) (Entered: 10/16/2002)
11/19/2002		Hearing Held Re: [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc., [11-1] Objection by Marc D. Wallick . APPEARANCES: Beal, Berman, Goldberg, and Wallick. Beal argued in support of dismissal. Arguments by Goldberg. Bench decision denying the motion to dismiss. (Fraatz,F.) (Entered: 11/20/2002)
11/20/2002		Answer Due by 12/20/02 for Wakefield Mill Building, Inc. See: hearing of 11/19/02 and #8 Motion to dismiss case - denied. (Fraatz,F.) (Entered: 11/20/2002)

11/20/2002		Endorsement Order Denying [8-1] Motion To Dismiss Case by Wakefield Mill Building, Inc. via bnc. (Fraatz,F.) (Entered: 11/20/2002)
12/16/2002		Status deadline re: [1-1] Complaint NOS 454 Recover Money/Property; Status Check On 1/3/02. See: Set hearing (date and time) with hearing on on BK 00-12818 regarding #78 debtor's objection to claim #7 Claimant Wakefield Mill Bldg. #84 Motion to consolidate hearings granted in BK case on 8/7/02. (Fraatz,F.) (Entered: 12/16/2002)
12/20/2002	<u>16</u>	Answer To Complaint by Defendant Wakefield Mill Building, Inc. . (D'Agostino,H.) (Entered: 12/30/2002)
01/14/2003		Discovery Plan due 1/27/03 (Fraatz,F.) (Entered: 01/14/2003)
01/14/2003		Status deadline on [16-1] Answer by Wakefield Mill Building, Inc. Status Check On 2/4/03. Review for Discovery plan due by 1/27/03, issue scheduling order 2/4/03. (Fraatz,F.) (Entered: 01/14/2003)
01/14/2003		Status deadline; Hearings have been consolidated regarding BK 00-12818 as to objection to claim #7 claimant Wakefield Mill Bldg and AP 02-1046 re: [1-1] Complaint NOS 454 Recover Money/Property; Status Check On 2/4/03. ***See: deadline regarding scheduling order due by 2/4/03*** (Fraatz,F.) (Entered: 01/14/2003)
02/07/2003	<u>17</u>	Notice By Plaintiff Marc D. Wallick To Take Deposition Of Defendant Wakefield Mill Building, Inc. by and through its President, Marc Perlman on 2/17/03 at 3:00 pm. Refer to notice for further details. (Fraatz,F.) (Entered: 02/10/2003)
02/25/2003		Update Discovery Plan due 4/14/03. See: pre-trial hearing of 2/11/03 for details. (Fraatz,F.) (Entered: 02/25/2003)
02/25/2003		Status deadline on [1-1] Complaint NOS 454 Recover Money/Property; Status Check On 4/14/03. *** hearing to be set same time as objection to claim #7 in BK 00-12818, as hearings are consolidated*** (Fraatz,F.) (Entered: 02/25/2003)
02/25/2003		Terminated Deadline; #16 Answer filed, discovery plan due 2/4/03 and issuance of scheduling order. See: update discovery plan now due 4/14/03. (Fraatz,F.) (Entered: 02/25/2003)
04/14/2003	<u>18</u>	Joint Motion By Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc. To Extend Time Until 6/13/03 to complete discovery and the consolidated proceeding involving the debtor's objection to claim #7, and 20 additional days to file joint pre-trial order re: Served on 4/11/03. [18-1] (Fraatz,F.) (Entered: 04/14/2003)

04/17/2003		Endorsement Order Granting [18-1] Motion To Extend Time Until 6/13/03 to complete discovery, and to consolidated proceeding involving the debtor's objection to claim #7, and 20 additional days to file joint pre-trial order re: by Wakefield Mill Building, Inc. Discovery Due: 6/13/03. (Fraatz,F.) (Entered: 04/17/2003)
04/17/2003		Joint Pre-Trial Order Deadline Re: [1-1] Complaint NOS 454 Recover Money/Property; Joint Pre-Trial Order Due: 7/3/03. ***See: #18 granted motion to extend time to complete discovery and file joint pre trial order.*** discovery (Fraatz,F.) (Entered: 04/17/2003)
04/17/2003		Status deadline on [1-1] Complaint NOS 454 Recover Money/Property; Status Check On 6/13/03. ***hearing to be set same time as objection to claim #7 in BK 00-12818, as hearings are consolidated.*** (Fraatz,F.) (Entered: 04/17/2003)
04/17/2003		Terminated Deadline; Discovery plan - not necessary. Parties have agreed to updated deadlines re: completion of discovery and joint pre-trial order. re: doc#18 (Fraatz,F.) (Entered: 04/17/2003)
06/25/2003	● 19	Joint Motion to Extend Time until 8/29/2003 to File Discovery Filed by Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc., Plaintiff Marc D. Wallick (related document(s) 1 Complaint). Objections/Responses due by: 7/8/2003. (Barbieri, Deborah) (Entered: 06/27/2003)
06/27/2003		Clerk's Office Action re: 19 Motion to Extend Time to File Discovery, filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc. Action Due: 6/30/2003. (Barbieri, Deborah) (Entered: 06/27/2003)
07/01/2003		Law Clerk Deadline (related document(s)19 Motion to Extend Time filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc.). Law Clerk Action Due: 7/1/2003. (Spaight, Linda) (Entered: 07/01/2003)
07/01/2003		Clerk's Office Action re: 19 Motion to Extend Time, filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc.. Action Due: 7/2/2003. Please grant the motion. No further extensions will be allowed. Thanks, (Calianos, Jonathan) (Entered: 07/01/2003)
07/07/2003	● 20	Order Granting Motion to Extend Time (related document(s)19 Motion to Extend Time, ). Objections to Motion Due: 7/21/2003. Discovery closes 8/29/03; JPTO due 9/15/03. No further extensions allowed. (Cory, Lucinda) (Entered: 07/07/2003)
07/07/2003		Satisfy a Deadline (related document(s) Status Check General Deadline, Clerk's Office Action Due.,, Endorsed Order,, Joint Pre-Trial Order Deadline,

		<u>20</u> Order on Motion to Extend Time). New deadlines to be set. (Cory, Lucinda) (Entered: 07/07/2003)
07/07/2003	● <u>21</u>	Other Deadlines Updated (related document(s) <u>1</u> Complaint). . Pre-Trial Order due by 9/15/2003. Discovery closes 8/29/03. Status Check Due: 9/15/2003 to set hearing on AP at same time as Obj to Claim #7 in 00-12818. (Cory, Lucinda) (Entered: 07/07/2003)
07/09/2003	● <u>21</u>	BNC Certificate of Mailing - PDF Document. Service Date 07/09/2003. (Related Doc # <u>20</u> ) (Admin.) (Entered: 07/10/2003)
08/15/2003	● <u>22</u>	Notice to Take Deposition of Marc Perlman, President of Wakefield Mill Building, Inc. on 8/26/2003 at 1:00 p.m. Filed by Plaintiff Marc D. Wallick. (Barbieri, Deborah) (Entered: 08/15/2003)
08/20/2003	● <u>23</u>	Motion to Compel Debtor Bruce E Thunberg to furnish Answers to Interrogatories Filed by Defendant Wakefield Mill Building, Inc. . Objections to Motion Due: 9/2/2003. (Fraatz, Florence) (Entered: 08/25/2003)
08/26/2003	● <u>24</u>	Objection Filed by Plaintiff Marc D. Wallick re <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). (Fraatz, Florence) (Entered: 08/27/2003)
08/29/2003	● <u>25</u>	Motion to Extend Time until 10/28/2003 to extend discovery deadlines, Filed by Plaintiff Marc D. Wallick (related document(s) <u>1</u> Complaint). Objections/Responses due by: 9/10/2003. (Barbieri, Deborah) (Entered: 08/29/2003)
08/29/2003	● <u>26</u>	Objection Filed by Debtor Bruce E. Thunberg re <u>23</u> Motion to Compel Debtor Bruce E. Thunberg to furnish Answers to Interrogatories filed by Defendant Wakefield Mill Building, Inc.). (Attachments: # <u>1</u> Memorandum of Law) (Fraatz, Florence) (Entered: 09/02/2003)
09/03/2003		Clerk's Office Action re: <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc., <u>24</u> Objection filed by Plaintiff Marc D. Wallick, <u>26</u> Objection filed by Debtor Bruce E. Thunberg. (related document(s) <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc., <u>24</u> Objection filed by Plaintiff Marc D. Wallick, <u>26</u> Objection filed by Debtor Bruce E. Thunberg). . Action Due: 9/4/2003. (Barbieri, Deborah) (Entered: 09/03/2003)
09/05/2003		Clerk's Office Action re: <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc., <u>24</u> Objection filed by Plaintiff Marc D. Wallick, <u>26</u> Objection filed by Debtor Bruce E. Thunberg, <u>25</u> Motion to Extend Time filed by Plaintiff Marc D. Wallick. Action Due: 9/8/2003. Please set these matters for hearing. Thanks, (Calianos, Jonathan) (Entered: 09/05/2003)

09/05/2003		Law Clerk Deadline (related document(s) <a href="#">23</a> Motion to Compel filed by Defendant Wakefield Mill Building, Inc., <a href="#">24</a> Objection filed by Plaintiff Marc D. Wallick, <a href="#">26</a> Objection filed by Debtor Bruce E. Thunberg). Law Clerk Action Due: 9/8/2003. (Barbieri, Deborah) (Entered: 09/05/2003)
09/05/2003	● <a href="#">27</a>	Hearing Set (related document(s) <a href="#">23</a> Motion to Compel filed by Defendant Wakefield Mill Building, Inc., <a href="#">24</a> Objection filed by Plaintiff Marc D. Wallick, <a href="#">25</a> Motion to Extend Time filed by Plaintiff Marc D. Wallick, <a href="#">26</a> Objection filed by Debtor Bruce E. Thunberg). Hearing scheduled for 9/30/2003 at 09:30 AM at 6th Floor Courtroom. (Barbieri, Deborah) (Entered: 09/05/2003)
09/07/2003	● <a href="#">28</a>	BNC Certificate of Mailing - PDF Document. Service Date 09/07/2003. (Related Doc # <a href="#">27</a> ) (Admin.) (Entered: 09/08/2003)
09/17/2003		Satisfy a Deadline (related document(s) <a href="#">1</a> Complaint, <a href="#">25</a> Motion to Extend Time filed by Plaintiff Marc D. Wallick) to extend discovery deadlines. Motion set for hearing on 9/30/2003. (Barbieri, Deborah) (Entered: 09/17/2003)
09/29/2003	● <a href="#">29</a>	Motion to Continue Hearing to 10/9/03 at 9:30 a.m. Filed by Defendant Wakefield Mill Building, Inc. doc <a href="#">27</a> (related document(s) <a href="#">23</a> Motion to Compel filed by Defendant Wakefield Mill Building, Inc., <a href="#">24</a> Objection filed by Plaintiff Marc D. Wallick, <a href="#">25</a> Motion to Extend Time filed by Plaintiff Marc D. Wallick, <a href="#">26</a> Objection filed by Debtor Bruce E. Thunberg). (Fraatz, Florence) (Entered: 09/29/2003)
09/29/2003	● <a href="#">30</a>	Order Granting Motion To Continue/Reschedule Hearing On (Related Doc # <a href="#">29</a> ) (related document(s) <a href="#">23</a> Motion to Compel filed by Wakefield Mill Building Inc., <a href="#">24</a> Objection by Plaintiff Marc Wallick, <a href="#">25</a> Motion to Extend Time filed by Marc Wallick, <a href="#">26</a> Objection by Debtor). ***Hearing scheduled for 10/9/2003 at 09:30 AM at 6th Floor Courtroom. *** Attorney Beal to notify all parties. *** (Fraatz, Florence) (Entered: 09/29/2003)
10/01/2003	● <a href="#">31</a>	BNC Certificate of Mailing - PDF Document. Service Date 10/01/2003. (Related Doc # <a href="#">30</a> ) (Admin.) (Entered: 10/02/2003)
10/01/2003	● <a href="#">32</a>	BNC Certificate of Mailing - PDF Document. Service Date 10/01/2003. (Related Doc # <a href="#">30</a> ) (Admin.) (Entered: 10/02/2003)
10/01/2003	● <a href="#">33</a>	Notice to Take Deposition of Marc Perlman, President of Wakefield Mill Building, Inc., on 10/10/2003 at 1:00 p.m. Filed by Marc D. Wallick. (Barbieri, Deborah) (Entered: 10/02/2003)
10/01/2003	● <a href="#">34</a>	Notice to Take Deposition of John Conforti, Chief Financial Officer of Wakefield Mill Building, Inc., on 10/15/2003 at 2:00 p.m. Filed by Marc D. Wallick. (Barbieri, Deborah) (Entered: 10/02/2003)

10/09/2003	●	Hearing Held APPEARANCES: Goldberg, Beal, Berman, Wallick, Richardson . (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc., 24 Objection filed by Plaintiff Marc D. Wallick). Parties will enter into a consent order . Order Due by: 10/20/2003. (Cory, Lucinda) (Entered: 10/14/2003)
10/09/2003	●	Hearing Held APPEARANCES: Goldberg, Beal Berman, Wallick, Richardson . (related document(s)25 Motion to Extend Time filed by Plaintiff Marc D. Wallick, 26 Objection filed by Debtor Bruce E. Thunberg). All discovery is continued to 11/6/03. (Cory, Lucinda) (Entered: 10/14/2003)
10/14/2003	● <u>35</u>	Order Granting Motion to Extend Time . Discovery deadline updated to 11/6/03; JPTO due 11/24/03. (Cory, Lucinda) (Entered: 10/14/2003)
10/14/2003	●	Other Deadlines Updated (related document(s)1 Complaint). Joint Pre-Trial Order due by 11/24/2003. (Cory, Lucinda) (Entered: 10/14/2003)
10/16/2003	● <u>36</u>	BNC Certificate of Mailing - PDF Document. Service Date 10/16/2003. (Related Doc # <u>35</u> ) (Admin.) (Entered: 10/17/2003)
10/23/2003	● <u>37</u>	Notice of Appearance and Request for Notice Filed by William J. Delaney on behalf of Bruce E. Thunberg . (Cory, Lucinda) (Entered: 10/24/2003)
10/31/2003	● <u>38</u>	Motion to Extend Time until 3 weeks after conclusion of mediation to Complete Discovery Filed by Defendant Wakefield Mill Building, Inc. , Plaintiff Marc D. Wallick . (DAgostino, Holly) (Entered: 11/04/2003)
11/04/2003	● <u>39</u>	Order Granting Motion to Extend Time to complete discovery until 3 weeks after conclusion of mediation. (DAgostino, Holly) (Entered: 11/04/2003)
11/04/2003		Status Deadline (related document(s)39 Order Granting Motion to Extend Time to complete discovery until 3 weeks after conclusion of mediation. Check status of mediation. Status Check Due by: 12/1/2003. (DAgostino, Holly) (Entered: 11/04/2003)
11/05/2003		Satisfy a Deadline (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Beal called; he stated he would consult with other parties and file the order regarding this motion. Deadline updated. (Cory, Lucinda) (Entered: 11/05/2003)
11/05/2003		Status Deadline (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Beal called; he stated he would consult with other parties and prepare an order. Status Check Due by: 11/21/2003. (Cory, Lucinda) (Entered: 11/05/2003)
11/06/2003	● <u>40</u>	BNC Certificate of Mailing - PDF Document. Service Date 11/06/2003. (Related Doc # <u>39</u> ) (Admin.) (Entered: 11/07/2003)

11/19/2003	•41	Court Notice from the Office of the Circuit Executive assigning (related document(s) <u>1</u> Complaint to Judge J. Michael Deasy, USBJ of the District of New Hampshire for mediation. (DAgostino, Holly) (Entered: 11/20/2003)
11/20/2003	•42	Corrective Entry Incorrect document attached. Correct document attached (related document(s) <u>41</u> Court Notice). . (DAgostino, Holly) (Entered: 11/20/2003)
11/22/2003	•43	BNC Certificate of Mailing - PDF Document. Service Date 11/22/2003. (Related Doc # <u>41</u> ) (Admin.) (Entered: 11/23/2003)
11/22/2003	•44	BNC Certificate of Mailing - PDF Document. Service Date 11/22/2003. (Related Doc # <u>42</u> ) (Admin.) (Entered: 11/23/2003)
11/24/2003	•	An Order Is Due To Be Filed By Charles Beal (related document(s) <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Spoke to Mr. Beal this date. He will file proposed order. Order Due by: 12/4/2003. (DAgostino, Holly) (Entered: 11/24/2003)
11/24/2003		Satisfy a Deadline (related document(s) <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Deadline updated. (DAgostino, Holly) (Entered: 11/24/2003)
11/25/2003		Satisfy a Deadline for Joint Pretrial Order (related document(s) <u>1</u> Complaint). Matter in mediation before Judge Deasy. Joint Pretrial Order deadline will be reset at a latter time, if matter is not settled by mediation. (Barbieri, Deborah) (Entered: 11/25/2003)
12/03/2003	•45	Order to Show Cause in Writing against and Attorney Charles S. Beal (related document(s) <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Why relief should not be vacated and or sanctions imposed for failure to file proposed order. Responses due by 12/15/2003. (DAgostino, Holly) Additional attachment(s) added on 12/3/2003 (Torres, Michelle). (Entered: 12/03/2003)
12/03/2003		Status Deadline (related document(s) <u>39</u> Order Granting Motion to Extend Time to complete discovery until 3 weeks after conclusion of mediation. Check status of mediation. Status Check Due by: 12/15/2003. (DAgostino, Holly) (Entered: 12/03/2003)
12/03/2003		Satisfy a Deadline (related document(s) <u>39</u> Order on Motion to Extend Time). Deadline reset. (DAgostino, Holly) (Entered: 12/03/2003)
12/03/2003	•46	BNC Service of Document (related document(s) <u>45</u> Order to Show Cause in Writing, ). . (DAgostino, Holly) (Entered: 12/03/2003)

12/05/2003	• 47	BNC Certificate of Mailing - PDF Document. Service Date 12/05/2003. (Related Doc # 46) (Admin.) (Entered: 12/15/2003)
12/11/2003	• 48	Proposed Order RE: (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Filed by Defendant Wakefield Mill Building, Inc. . Status Check Due by: 12/16/2003. (DAgostino, Holly) (Entered: 12/17/2003)
12/17/2003		Law Clerk Deadline (related document(s)48 Proposed Order filed by Defendant Wakefield Mill Building, Inc.). No objections. Law Clerk Action Due: 12/18/2003. (DAgostino, Holly) (Entered: 12/17/2003)
12/17/2003		Clerk's Office Action re: 48 Proposed Order filed by Defendant Wakefield Mill Building, Inc.. Action Due: 12/18/2003. This should be a consent order. We need Trustee to sign off. Also hearing date was not 9/30 from what I can tell... it was 10/9/03. Thanks. (Calianos, Jonathan) (Entered: 12/17/2003)
12/18/2003		Status Deadline (related document(s)39 Order Granting Motion to Extend Time to complete discovery until 3 weeks after conclusion of mediation. Check status of mediation. Status Check Due by: 1/15/2004. (DAgostino, Holly) (Entered: 12/18/2003)
12/18/2003		Satisfy a Deadline (related document(s)39 Order on Motion to Extend Time). Deadline updated. (DAgostino, Holly) (Entered: 12/18/2003)
12/18/2003	•	An Order Is Due To Be Filed By Charles Beal (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). A proposed consent order was filed (#48) but was unacceptable to the Court. Mr. Beal is to file a new proposed order, consented to by the trustee and which identifies the hearing date as 10/9/03. Order Due by: 12/29/2003. (DAgostino, Holly) (Entered: 12/18/2003)
12/18/2003		Satisfy a Deadline (related document(s) Clerk's Office Action Due re: #48 proposed order. Another deadline has been set for another proposed order. (DAgostino, Holly) (Entered: 12/18/2003)
01/05/2004		Satisfy a Deadline (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Updated deadline to coincide with discovery deadline re #39 Order Granting Motion to Extend Time to complete discovery until 3 weeks after conclusion of mediation. Status of mediation to be checked by 1/15/2004. (Barbieri, Deborah) (Entered: 01/05/2004)
01/05/2004		Status Deadline (related document(s)23 Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Deadline has been updated to coincide with discovery deadline regarding #39 Motion to Compel. Proposed Order re #23 should indicate consent by the trustee and identify the hearing date of 10/9/03 when filed. Status Check Due by: 1/15/2004. (Barbieri, Deborah) (Entered:

		01/05/2004)
01/05/2004	•49	Proposed Order RE: (related document(s) <u>23</u> Motion to Compel filed by Defendant Wakefield Mill Building, Inc.). Filed by Defendant Wakefield Mill Building, Inc. , Plaintiff Marc D. Wallick . Status Check Due by:1/12/2004. (Barbieri, Deborah) (Entered: 01/07/2004)
01/14/2004		Law Clerk Deadline (related document(s) <u>49</u> Proposed Consent Order filed by Plaintiff Marc D. Wallick, Defendant Wakefield Mill Building, Inc.). Charles Beal was called on 12/18 and asked that he file a "Consent Order" re # <u>23</u> Motion to Compel. Here it is. Law Clerk Action Due:1/15/2004. (Barbieri, Deborah) (Entered: 01/14/2004)
01/14/2004		Clerk's Office Action re: <u>49</u> Proposed Order filed by Plaintiff Marc D. Wallick, Defendant Wakefield Mill Building, Inc.. Action Due: 1/15/2004. Please enter the order. Thanks. (Calianos, Jonathan) (Entered: 01/14/2004)
01/20/2004	•50	Order Granting Motion To Compel Plaintiff to Answer Interrogatories by Defendant Wakefield Mill Building, Inc. (Related Doc # <u>23</u> ) . (DAgostino, Holly) (Entered: 01/20/2004)
01/20/2004		Status Deadline (related document(s) <u>39</u> Order on Motion to Extend Time to complete discovery). Pursuant to # <u>30</u> Order entered on 1/14/2004 in lead AP 01-1026, all hearings scheduled with regard to the within dispute are hereby continued pending the outcome of the mediation. All discovery is hereby suspended pending the outcome of the mediation. Status Check Due by:2/20/2004. (DAgostino, Holly) (Entered: 01/20/2004)
01/20/2004		Satisfy a Deadline (related document(s) <u>39</u> Order on Motion to Extend Time). Status check re-set. (DAgostino, Holly) (Entered: 01/20/2004)
01/22/2004	•51	BNC Certificate of Mailing - PDF Document. Service Date 01/22/2004. (Related Doc # <u>50</u> ) (Admin.) (Entered: 01/23/2004)
02/24/2004		Status Deadline (related document(s) <u>39</u> Order on Motion to Extend Time for discovery until 3 weeks after the conclusion of mediation). Pursuant to # <u>30</u> Order entered on 1/14/2004 in lead AP 01-1026, all hearings scheduled with regard to the within dispute are hereby continued pending the outcome of the mediation. All discovery is hereby suspended pending the outcome of the mediation. Status Check Due by:4/1/2004. (DAgostino, Holly) (Entered: 02/24/2004)
02/24/2004		Satisfy a Deadline (related document(s) <u>39</u> Order on Motion to Extend Time). Deadline updated. (DAgostino, Holly) (Entered: 02/24/2004)
02/24/2004	•52	Mediator's Report by the Honorable J. Michael Deasy, USBJ, District of New Hampshire (related document(s) <u>1</u> Complaint). The parties have not agreed

		upon a settlement. (DAgostino, Holly) (Entered: 02/24/2004)
02/24/2004	• 53	Hearing Set (related document(s)1 Complaint). . Pre-Trial Conference set for 3/9/2004 at 09:30 AM at 6th Floor Courtroom. (DAgostino, Holly) (Entered: 02/24/2004)
02/26/2004	• 54	BNC Certificate of Mailing - PDF Document. Service Date 02/26/2004. (Related Doc # 53) (Admin.) (Entered: 02/27/2004)
03/08/2004	• 55	Motion/Application to Compromise Controversy with Wakefield Mill Building, Inc concerning pending adversary proceeding Filed by Plaintiff Marc D. Wallick. Objections to Motion Due: 3/29/2004. (Wallick, Marc) (Entered: 03/08/2004)
03/09/2004	•	Terminate Document - ECF Error. **Motion should be filed in the main bankruptcy case 00-12818 **. Document must be resubmitted (related document(s)55 Motion to Compromise Controversy filed by Plaintiff Marc D. Wallick). . (DAgostino, Holly) (Entered: 03/09/2004)
03/09/2004	•	Hearing Held APPEARANCES: Berman, Delaney, Wallick, Goldman, Richardson, Beal, DePasquale . (related document(s)1 Complaint). See hearing held in BK 00-12818 this date. Application to compromise filed. Hearing on application and objection to be held on 4/15/04 at 10:30. (DAgostino, Holly) (Entered: 03/11/2004)
03/11/2004		Status Deadline (related document(s)1 Complaint). Hearing on application to compromise this AP to be held on 4/15/04 at 10:30. Status Check Due by:4/15/2004. (DAgostino, Holly) (Entered: 03/11/2004)
04/02/2004		Law Clerk Deadline (related document(s)38 Motion to Extend Time until 3 weeks after conclusion of mediation to Complete Discovery Filed by Defendant Wakefield Mill Building, Inc. , Plaintiff Marc D. Wallick. Jon, this was on hold pending the outcome of mediation. Would you like it to remain on hold pending the 4/15/04 hearing on the application to compromise? Law Clerk Action Due:4/5/2004. (DAgostino, Holly) (Entered: 04/02/2004)
04/05/2004		Clerk's Office Action re: 38 Motion to Extend Time until 3 weeks after conclusion of mediation to Complete Discovery Filed by Defendant Wakefield Mill Building, Inc. , Plaintiff Marc D. Wallick, 39 Order on Motion to Extend Time. Action Due: 4/5/2004. Holly, you set a deadline on #38 and I believe that motion was terminated by #39. I think we will have to set some new deadlines if the compromise is not allowed. Thank you. (Calianos, Jonathan) (Entered: 04/05/2004)
04/05/2004		Status Deadline (related document(s)39 Order on Motion to Extend Time To Complete Discovery to 3 Weeks After Conclusion of Mediation). An application to compromise this AP has been schedule for 4/15/05. If this

		application is not granted, the discovery and joint pre-trial order deadlines must be re-set. check with chambers. Status Check Due by:4/19/2004. (DAgostino, Holly) (Entered: 04/05/2004)
04/05/2004		Satisfy a Deadline (related document(s) Clerk's Office Action Due., ) re: <u>38</u> and <u>39</u> . Deadline set per chambers. (DAgostino, Holly) (Entered: 04/05/2004)
04/16/2004		Status Deadline (related document(s) <u>1</u> Complaint). Application to compromise this AP has been rescheduled to 5/18/04. check outcome. Status Check Due by:5/21/2004. (DAgostino, Holly) (Entered: 04/16/2004)
04/16/2004		Satisfy a Deadline (related document(s) <u>1</u> Complaint). deadline for outcome of aplc compromise updated. (DAgostino, Holly) (Entered: 04/16/2004)
04/20/2004	● <u>56</u>	Motion to Withdraw as Attorney Filed by Debtor Bruce E. Thunberg. Objections to Motion Due: 5/3/2004. (Delaney, William) (Entered: 04/20/2004)
04/20/2004		Status Deadline (related document(s) <u>39</u> Order on Motion to Extend Time for discovery to 3 weeks after conclusion of mediation). An application to compromise this AP is being heard on 5/18/04. If this application is not granted, the discovery and joint pre-trial order deadlines must be re-set. check with chambers. Status Check Due by:5/21/2004. (DAgostino, Holly) (Entered: 04/20/2004)
04/20/2004		Satisfy a Deadline (related document(s) <u>39</u> Order on Motion to Extend Time). deadline reset. (DAgostino, Holly) (Entered: 04/20/2004)
05/04/2004		Law Clerk Deadline (related document(s) <u>56</u> Motion to Withdraw as Attorney filed by Debtor Bruce E. Thunberg). No objections. Peter Berman is also in for the debtor. Law Clerk Action Due:5/5/2004. (DAgostino, Holly) (Entered: 05/04/2004)
05/04/2004		Clerk's Office Action re: <u>56</u> Motion to Withdraw as Attorney filed by Debtor Bruce E. Thunberg. Action Due: 5/4/2004. Please grant the motion. Thank you. (Calianos, Jonathan) (Entered: 05/04/2004)
05/05/2004	● <u>57</u>	Order Granting Motion To Withdraw As Attorney (Related Doc # <u>56</u> ). Attorney William J. Delaney Terminated . (Barbieri, Deborah) (Entered: 05/05/2004)
05/07/2004	● <u>58</u>	BNC Certificate of Mailing - PDF Document. Service Date 05/07/2004. (Related Doc # <u>57</u> ) (Admin.) (Entered: 05/08/2004)
05/24/2004	●	Other Deadlines Updated (related document(s) <u>39</u> Order on Motion to Extend Time). Application to Compromise this AP that was filed in BK 00-12818 was to be heard on 5/18/2004, but was rescheduled to 6/2/2004. If Application is

		granted, Discovery and JPTO deadlines to be re-set - check with chambers re dates. Status Check Due: 6/2/2004. (Barbieri, Deborah) (Entered: 05/24/2004)
05/24/2004	●	Other Deadlines Updated (related document(s) <u>1</u> Complaint). Application to Compromise this AP to be heard on 6/2/2004 in BK 00-12818. Check outcome of hearing. Status Check Due: 6/2/2004. (Barbieri, Deborah) (Entered: 05/24/2004)
05/26/2004		Satisfy a Deadline (related document(s) <u>39</u> Order on Motion to Extend Time, <u>1</u> Complaint). Updated deadlines to 6/2/2004. (Barbieri, Deborah) (Entered: 05/26/2004)
06/03/2004		Status Deadline (related document(s) <u>39</u> Order on Motion to Extend Time to 3 weeks after conclusion of mediation to file joint pre-trial order). Application to Compromise being heard in the BK on 7/7/04. If Application is not granted, Discovery and JPTO deadlines to be re-set - check with chambers re dates. Status Check Due by: 7/12/2004. (DAgostino, Holly) (Entered: 06/03/2004)
06/03/2004		Satisfy a Deadline status deadline regarding the disposition of the application to compromise this AP (related document(s) <u>39</u> Order on Motion to Extend Time, <u>1</u> Complaint). This deadline was reset. The hearing in the BK on the application to compromise was rescheduled to 7/7/04. (DAgostino, Holly) (Entered: 06/03/2004)
07/09/2004		Satisfy a Deadline (related document(s) <u>39</u> Order on Motion to Extend Time). Deadline updated. (Cory, Lucinda) (Entered: 07/09/2004)
07/09/2004		Status Deadline (related document(s) <u>1</u> Complaint). Status Check Due by: 7/26/2004. Check with chambers to see if matter is to be set for hearing. (Cory, Lucinda) (Entered: 07/09/2004)
07/27/2004		Satisfy a Deadline (related document(s) <u>1</u> Complaint). Deadline updated; Hearing on M/Compromise has not been concluded; after decision on that matter, Chambers to decide if this case should be reset for hearing. (Cory, Lucinda) (Entered: 07/27/2004)
07/27/2004		Status Deadline (related document(s) <u>1</u> Complaint). Hearing on M/Compromise has not been concluded; after decision on that matter, Chambers to decide if this case should be reset for hearing. . Status Check Due by: 8/2/2004. (Cory, Lucinda) (Entered: 07/27/2004)
08/03/2004		Satisfy a Deadline (related document(s) <u>1</u> Complaint). Deadline updated. (Cory, Lucinda) (Entered: 08/03/2004)
08/03/2004		Status Deadline (related document(s) <u>1</u> Complaint). . Status Check Due by: 9/22/2004. Check with Chambers re status of Application to compromise

		in BK to see if this matter should be reset for hearing. (Cory, Lucinda) (Entered: 08/03/2004)
09/21/2004	• <a href="#"><u>59</u></a>	Hearing Set (related document(s) <a href="#"><u>1</u></a> Complaint). Trial date set for 11/2/2004 at 09:30 AM at 6th Floor Courtroom. Joint Pretrial Order due 10/27/04. (Cory, Lucinda) (Entered: 09/21/2004)
09/21/2004		Satisfy a Deadline (related document(s) <a href="#"><u>1</u></a> Complaint). Case has been set for trial . (Cory, Lucinda) (Entered: 09/21/2004)
09/21/2004	•	Other Deadlines Updated (related document(s) <a href="#"><u>1</u></a> Complaint). Joint Pre-Trial Order due by 10/27/2004. (Cory, Lucinda) (Entered: 09/21/2004)
09/23/2004	• <a href="#"><u>60</u></a>	BNC Certificate of Mailing - PDF Document. Service Date 09/23/2004. (Related Doc # <a href="#"><u>59</u></a> ) (Admin.) (Entered: 09/24/2004)
10/01/2004	• <a href="#"><u>61</u></a>	Motion For Summary Judgment Filed by Defendant Wakefield Mill Building, Inc. Objections to Motion Due: 10/14/2004. (Attachments: # <a href="#"><u>1</u></a> Memorandum of Law # <a href="#"><u>2</u></a> Affidavit of Charles S. Beal) (Sweeney, Carolyn) (Entered: 10/04/2004)
10/13/2004	• <a href="#"><u>62</u></a>	Objection Filed by Plaintiff Marc D. Wallick re <a href="#"><u>61</u></a> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). (Sweeney, Carolyn) (Entered: 10/13/2004)
10/13/2004	<a href="#"><u>63</u></a>	Document terminated - Memorandum required (LBR 9013-1). (related document(s) <a href="#"><u>62</u></a> Objection filed by Plaintiff Marc D. Wallick). . (Sweeney, Carolyn) (Entered: 10/13/2004)
10/14/2004	• <a href="#"><u>64</u></a>	Objection Filed by Debtor Bruce E. Thunberg, Plaintiff Marc D. Wallick re: <a href="#"><u>61</u></a> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). (Attachments: # <a href="#"><u>1</u></a> Memorandum of Law # <a href="#"><u>2</u></a> Statement of Material Facts) (Respondant also requests a hearing) (Sweeney, Carolyn) (Entered: 10/15/2004)
10/14/2004		Attorney Stephen R. Famiglietti for Bruce E. Thunberg added to case. (See objection - doc <a href="#"><u>64</u></a> ). (Sweeney, Carolyn) (Entered: 10/20/2004)
10/15/2004		Law Clerk Deadline (related document(s) <a href="#"><u>61</u></a> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc., <a href="#"><u>64</u></a> Objection filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg). Jon, in the objection, they ask for a hearing. FYI - the trial is currently scheduled for 11/2/2004. Law Clerk Action Due:10/15/2004. (Sweeney, Carolyn) (Entered: 10/15/2004)
10/15/2004		Clerk's Office Action re: <a href="#"><u>64</u></a> Objection, filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, <a href="#"><u>61</u></a> Motion for Summary Judgment filed by

		Defendant Wakefield Mill Building, Inc.. Action Due: 10/15/2004. Please set the matter for hearing. 11/2 is fine... we will hear this first and the parties should be prepared for trial in the event the court denies the motion or takes it u/a . Thank you. (Calianos, Jonathan) (Entered: 10/15/2004)
10/15/2004	❶65	BNC Certificate of Mailing - PDF Document. Service Date 10/15/2004. (Admin.) (Entered: 10/16/2004)
10/20/2004	❶66	Hearing Set related document(s) <u>61</u> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc., <u>64</u> Objection filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg. Hearing scheduled for 11/2/2004 at 09:30 AM at 6th Floor Courtroom. ***Parties should be prepared for trial in the event the court denies this motion or takes it under advisement*** (Sweeney, Carolyn) (Entered: 10/20/2004)
10/22/2004	❶67	BNC Certificate of Mailing - PDF Document. Service Date 10/22/2004. (Admin.) (Entered: 10/23/2004)
10/27/2004	❶68	Motion to Continue Hearing On <i>November 2, 2004</i> Filed by Plaintiff Marc D. Wallick (related document <u>1</u> Complaint). (Wallick, Marc) Modified linkage on 10/28/2004 (McCurdy, Michelle). (Entered: 10/27/2004)
10/28/2004		Clerk's Office Action re: <u>68</u> Motion to Continue/Reschedule Hearing filed by Plaintiff Marc D. Wallick. Action Due: 10/28/2004. Please grant the motion and move the hearing on Summary Judgment from Tuesday to Wed. 11/3. We will reset the trial date after the hearing on Summary Judgment. Thank you. (Calianos, Jonathan) (Entered: 10/28/2004)
10/28/2004	❶	ECF Corrective Entry - Document is linked incorrectly. Linkage created to correct relationship. (related document(s) <u>68</u> Motion to Continue/Reschedule Hearing filed by Plaintiff Marc D. Wallick). (Sweeney, Carolyn) (Entered: 10/28/2004)
10/28/2004	❶69	Order Granting Motion To Continue/Reschedule Trial (Doc # <u>68</u> ) re: <u>1</u> Complaint). Trial date will be reset after the hearing on the Motion for Summary Judgment (doc <u>61</u> ). (Sweeney, Carolyn) (Entered: 10/28/2004)
10/28/2004	❶70	Hearing Set (related document(s) <u>61</u> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc., <u>62</u> Objection filed by Plaintiff Marc D. Wallick). Hearing scheduled for 11/3/2004 at 09:30 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 10/28/2004)
10/28/2004	❶	Hearing scheduled for 11/2/2004 Not Held (re: <u>61</u> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc., <u>64</u> Objection filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg. Matters have been rescheduled for 11/3/2004. (Sweeney, Carolyn) (Entered: 10/28/2004)

10/30/2004	• 71	BNC Certificate of Mailing - PDF Document. Service Date 10/30/2004. (Admin.) (Entered: 10/31/2004)
10/30/2004	• 72	BNC Certificate of Mailing - PDF Document. Service Date 10/30/2004. (Admin.) (Entered: 10/31/2004)
11/02/2004	•	Hearing Held APPEARANCES: Goldberg, Beal, Familgetti (related document(s) 61 Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc., 64 Objection filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg. Court heard oral argument on motion for summary judgment from Beal and Familgetti. After argument, Familgetti asked for time to file an affidavit. Court allows debtor/trustee one week to file affidavit. Beal has one week thereafter to file any additional affidavit. Then matter is under advisement. (Sweeney, Carolyn) (Entered: 11/04/2004)
11/04/2004		Status Deadline (related document(s) 61 Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). Per hearing held on 11/2/2004, debtor/trustee given one week to file an affidavit. Once this has been filed, Attorney Beal has a week thereafter to file any additional affidavit. Then matter is Under Advisement. Status Check Due by: 11/9/2004. (Sweeney, Carolyn) (Entered: 11/04/2004)
11/12/2004	• 73	Affidavit Re: 64 Objection filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg to 61 Motion for Summary Judgment. Filed by Debtor Bruce E. Thunberg. (Sweeney, Carolyn) Modified links on 11/18/2004 (Venuti, Jody). (Entered: 11/15/2004)
11/15/2004		Status Deadline (related document(s) 61 Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). Per hearing held on 11/2/2004, Attorney Beal has one week to file an additional affidavit. Then matter is under advisement. Check for affidavit. Status Check Due by: 11/22/2004. (Sweeney, Carolyn) (Entered: 11/15/2004)
11/15/2004		Satisfy a Deadline (related document(s) 61 Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). Deadline terminated - affidavit filed by debtor Bruce Thunberg. (Sweeney, Carolyn) (Entered: 11/15/2004)
11/17/2004	• 74	Supplemental Memorandum of Law/Affidavit (related document(s) 61 Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). Filed by Charles S. Beal on behalf of Defendant Wakefield Mill Building, Inc. (Attachments: # 1 Affidavit) (Sweeney, Carolyn) (Entered: 11/18/2004)
11/18/2004		Satisfy a Deadline (related document(s) 61 Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc.). Status check deadline terminated. Supplemental Memo filed by attorney Charles S. Beal - see doc 74. (Sweeney, Carolyn) (Entered: 11/18/2004)

11/19/2004		Matter Under Advisement Re: <u>61</u> Motion for Summary Judgment filed by Defendant Wakefield Mill Building, Inc, <u>64</u> Objection filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, <u>73</u> Affidavit filed by Debtor Bruce E. Thunberg, <u>74</u> Memorandum of Law filed by Defendant Wakefield Mill Building, Inc. Status Check re: Matter Under Advisement on 1/18/2005. (Sweeney, Carolyn) (Entered: 11/19/2004)
11/26/2004	• <u>75</u>	Order Denying Motion For Summary Judgment (Related Doc # <u>61</u> ) . (DAgostino, Holly) (Entered: 11/26/2004)
11/26/2004		Status Deadline (related document(s) <u>75</u> Order Denying Motion For Summary Judgment). Matter to be set for trial. Courtroom deputy to provide dates for trial and joint pretrial order. Status Check Due by:11/29/2004. (DAgostino, Holly) (Entered: 11/26/2004)
11/28/2004	• <u>76</u>	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>75</u> Order on Motion For Summary Judgment) Service Date 11/28/2004. (Admin.) (Entered: 11/29/2004)
12/06/2004		Status Deadline (related document(s) <u>75</u> Order on Motion For Summary Judgment). Matter to be set for trial. Waiting for Attorney Goldberg to inform the Court if this will be a jury trial. After that, set dates for hearing and joint pretrial order. Status Check Due by:12/8/2004. (Sweeney, Carolyn) (Entered: 12/06/2004)
12/06/2004		Satisfy a Deadline (related document(s) <u>75</u> Order on Motion For Summary Judgment). Status check deadline has been updated. (Sweeney, Carolyn) (Entered: 12/06/2004)
12/13/2004	• <u>77</u>	Trial Set (related document(s) <u>1</u> Complaint). Trial date set for 1/27/2005 at 09:30 AM at 6th Floor Courtroom. ***Joint Pre-Trial Order due on or before 1/20/2005*** (Sweeney, Carolyn) (Entered: 12/13/2004)
12/13/2004		Judge's Deadlines Updated (related document(s) <u>1</u> Complaint). (related document(s) <u>1</u> Complaint). Joint Pre-Trial Order Due by:1/20/2005. (Sweeney, Carolyn) (Entered: 12/13/2004)
12/13/2004		Satisfy a Deadline (related document(s) <u>75</u> Order on Motion For Summary Judgment). Trial date re: complaint has been set. (Sweeney, Carolyn) (Entered: 12/13/2004)
12/15/2004	• <u>78</u>	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>77</u> Hearing) Service Date 12/15/2004. (Admin.) (Entered: 12/16/2004)
01/21/2005	•	Jury Flag Terminated. (Sweeney, Carolyn) (Entered: 01/21/2005)

01/25/2005		Law Clerk Deadline (related document(s) <u>1</u> Complaint). Jon, the joint pre-trial order was due last Thursday, 1/20. It has not been filed yet and the hearing is scheduled for this Thursday, 1/27. Law Clerk Action Due: 1/25/2005. (Sweeney, Carolyn) (Entered: 01/25/2005)
01/25/2005		Clerk's Office Action re: <u>1</u> Complaint. Action Due: 1/25/2005. We will deal with it on Thursday. Thank you. (Calianos, Jonathan) (Entered: 01/25/2005)
01/26/2005		Satisfy a Deadline (related document(s) Clerk's Office Action Due). (Sweeney, Carolyn) (Entered: 01/26/2005)
01/26/2005	<u>79</u>	Motion in Limine to Preclude Debtor and Trustee from Presenting Testimony of Previously Undisclosed Witness Filed by Defendant Wakefield Mill Building, Inc. (Sweeney, Carolyn) (Entered: 01/26/2005)
01/26/2005	<u>80</u>	Motion in Limine to Preclude Evidence of Alleged Oral Contract Terms Contradicted by the Written Agreement Pursuant to Parol Evidence Rule Filed by Defendant Wakefield Mill Building, Inc. (Sweeney, Carolyn) (Entered: 01/26/2005)
01/26/2005	<u>81</u>	Motion in Limine to Preclude Trustee and Debtor from Presenting Expert Testimony Filed by Defendant Wakefield Mill Building, Inc. (Sweeney, Carolyn) (Entered: 01/26/2005)
01/26/2005	<u>82</u>	Motion in Limine to Preclude Debtor and Trustee from Testifying regarding the Specific Amounts of His Alleged Damages or Introducing WMB's Tax Returns Filed by Defendant Wakefield Mill Building, Inc. (Sweeney, Carolyn) (Entered: 01/26/2005)
01/26/2005		Law Clerk Deadline (related document(s) <u>79</u> Generic Motion filed by Defendant Wakefield Mill Building, Inc., <u>80</u> Generic Motion filed by Defendant Wakefield Mill Building, Inc., <u>81</u> Generic Motion filed by Defendant Wakefield Mill Building, Inc., <u>82</u> Generic Motion filed by Defendant Wakefield Mill Building, Inc.). Jon, the trial is set for tomorrow, 1/27. Law Clerk Action Due: 1/26/2005. (Sweeney, Carolyn) (Entered: 01/26/2005)
01/26/2005		Clerk's Office Action re: <u>79</u> Motion in Limine to Preclude Debtor and Trustee from Presenting Testimony of Previously Undisclosed Witness filed by Wakefield Mill Building, Inc., <u>80</u> Motion in Limine to Preclude Evidence of Alleged Oral Contract Terms Contradicted by the Written Agreement Pursuant to Parol Evidence Rule filed by Defendant Wakefield Mill Building, Inc., <u>81</u> Motion in Limine to Preclude Trustee and Debtor from Presenting Expert Testimony filed by Defendant Wakefield Mill Building, Inc., <u>82</u> Motion in Limine to Preclude Debtor and Trustee from Testifying regarding the Specific Amounts of His Alleged Damages or Introducing WMB's Tax Returns filed by Defendant Wakefield Mill Building, Inc.. Action Due: 1/26/2005. Please set these for hearing tomorrow as well. Thank you.

		(Calianos, Jonathan) (Entered: 01/26/2005)
01/26/2005	•83	Hearing Set re: <u>79</u> Motion In Limine to preclude debtor and trustee from presenting testimony of previously undisclosed witness, <u>80</u> Motion In Limine to preclude evidence of alleged oral contract terms contradicted by the written agreement pursuant to parol evidence rule, <u>81</u> Motion In Limine to preclude trustee and debtor from presenting expert testimony, <u>82</u> Motion In Limine to preclude debtor and trustee from testifying regarding the specific amounts of his alleged damages or introducing WMB's tax returns filed by Defendant Wakefield Mill Building, Inc.). Hearing scheduled for 1/27/2005 at 09:30 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 01/26/2005)
01/27/2005	•84	Trial HELD AND CONTINUED: <u>1</u> Complaint). APPEARANCES: Famiglietti, Wallick, Goldberg, Beal. Famiglietti requested continuance. Objection by Beal. Matter continued to 2/3/2005 at 11:30 a.m. Joint pre-trial order due by noon on 2/2/2005. Trial date set for 2/3/2005 at 11:30 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 01/27/2005)
01/27/2005		Judge's Deadlines Updated (related document(s) <u>1</u> Complaint). Joint Pre-Trial Order Due by 12:00 p.m. on 2/2/2005. (Sweeney, Carolyn) (Entered: 01/27/2005)
01/27/2005		Satisfy a Deadline (related document(s) <u>1</u> Complaint). Trial date set deadline terminated. Trial date has been continued until 2/3/2005. (Sweeney, Carolyn) (Entered: 01/27/2005)
01/27/2005	•85	Hearing Continued (related document(s) <u>79</u> Motion in Limine to preclude debtor and trustee from presenting testimony of previously undisclosed witness, <u>80</u> Motion in Limine to preclude evidence of alleged oral contract terms contradicted by the written agreement pursuant to parol evidence rule, <u>81</u> Motion in Limine to preclude trustee and debtor from presenting expert testimony, <u>82</u> Motion in Limine to preclude debtor and trustee from testifying regarding the specific amounts of his alleged damages or introducing WMB's tax returns filed by Defendant Wakefield Mill Building, Inc.). Per trial held on 1/27/2005, all matters continued. Hearing scheduled for 2/3/2005 at 11:30 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 01/27/2005)
01/28/2005	•86	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>83</u> Hearing (AP), Hearing (AP), Hearing (AP)) Service Date 01/28/2005. (Admin.) (Entered: 01/29/2005)
01/29/2005	•87	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>85</u> Hearing (Adv) Cont, Hearing (Adv) Cont, Hearing (Adv) Cont) Service Date 01/29/2005. (Admin.) (Entered: 01/30/2005)
01/29/2005	•88	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>84</u>

		Hearing, ) Service Date 01/29/2005. (Admin.) (Entered: 01/30/2005)
02/02/2005	● <a href="#">89</a>	Joint Pre-Trial Order (related document(s) <a href="#">1</a> Complaint). **With Exhibits** Filed by Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc., Plaintiff Marc D. Wallick. (Sweeney, Carolyn) (Entered: 02/02/2005)
02/02/2005	● <a href="#">90</a>	Addendum (related document(s) <a href="#">89</a> Joint Pre-Trial Order filed by Plaintiff Marc D. Wallick, Debtor Bruce E. Thunberg, Defendant Wakefield Mill Building, Inc.). Filed by Debtor Bruce E. Thunberg, Plaintiff Marc D. Wallick. (Pleading originally filed on 1/31/2005 before the joint pre-trial order had been filed.) (Sweeney, Carolyn) (Entered: 02/02/2005)
02/03/2005	● <a href="#">91</a>	Trial HELD AND CONTINUED: <a href="#">1</a> Complaint. APPEARANCES: Famiglietti, Beal, Goldberg. The court heard arguments on the 4 motions in limine. 1. On the motion to exclude expert testimony - after argument, the court denied it as moot. 2. The motion to prohibit parole evidence - after argument, the court reserved ruling on the motion and will deal with parole evidence as it comes up in the trial. 3. The motion to limit damage evidence - after argument, the court denied the motion without prejudice. 4. Beal withdrew the motion to limit the number of witnesses. Court took a recess and conducted a brief conference. After recess, Beal gave opening & Famiglietti gave opening. Famiglietti conducted direct exam of 1. Andrew G. Sholes. Matter continued until 2/4/2005 at 10:30 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 02/04/2005)
02/03/2005	●	Hearing Held APPEARANCES: Famiglietti, Beal, Goldberg. Re: <a href="#">79</a> Motion in Limine to preclude debtor and trustee from presenting testimony of previously undisclosed witness, <a href="#">80</a> Motion In Limine to preclude evidence of alleged oral contract terms contradicted by the written agreement pursuant to parol evidence rule, <a href="#">81</a> Motion in Limine to preclude trustee and debtor from presenting expert testimony, <a href="#">82</a> Motion in Limine to preclude debtor and trustee from testifying regarding the specific amounts of his alleged damages or introducing WMB's tax returns filed by Defendant Wakefield Mill Building, Inc.) **Please see trial held and continued on 2/3/2005 for hearing write up and resolutions of these matters. (Sweeney, Carolyn) (Entered: 02/04/2005)
02/04/2005	● <a href="#">93</a>	Trial HELD AND CONTINUED: re: <a href="#">1</a> Complaint). APPEARANCES: Beal, Goldberg, Famiglietti. Beal started direct exam of Andrew Sholes, Esq. Famiglietti conducted recross of Attorney Sholes. Famiglietti called John Conforti as an adverse witness. Parties agree that all exhibits not marked with an asterisk are full exhibits and there is no need to move each exhibit as full. Court recessed until 2/7/2005 at 10:30 AM at the Pastore Building, Courtroom C. (Sweeney, Carolyn) (Entered: 02/10/2005)
02/06/2005	● <a href="#">92</a>	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <a href="#">91</a> Hearing, , , ) Service Date 02/06/2005. (Admin.) (Entered: 02/07/2005)

02/07/2005	•94	Trial HELD AND CONTINUED: <u>1</u> Complaint). APPEARANCES: Beal, Goldberg, Famiglietti. Famiglietti continued exam of John Conforti. Beal conducted a direct exam of Conforti. Re-cross by Famiglietti. Famiglietti called Marc Pearlman. Matter continued to 2/8/2005 at 11:00 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 02/10/2005)
02/08/2005	•95	Trial HELD AND CONTINUED: <u>1</u> Complaint). APPEARANCES: Beal, Goldberg, Famiglietti. Continued cross of Marc Pearlman by Famiglietti. Bruce Thunberg called as a witness; exam by Famiglietti. Matter continued to 2/14/2005 at 09:30 AM at 6th Floor Courtroom. (Sweeney, Carolyn) (Entered: 02/10/2005)
02/10/2005	•96	Order denying as Moot Motion in Limine to Preclude Trustee and Debtor from Presenting Expert Testimony (related document(s) <u>81</u> Generic Motion). (Sweeney, Carolyn) (Entered: 02/10/2005)
02/10/2005	•97	Order denying as Moot Motion in Limine to Preclude Evidence of Alleged Oral Contract Terms Contradicted by the Written Agreement Pursuant to Parol Evidence Rule (related document(s) <u>80</u> Generic Motion). (Sweeney, Carolyn) (Entered: 02/10/2005)
02/10/2005	•98	Order Denying Without Prejudice Motion In Limine to Preclude Debtor and Trustee from Testifying regarding Specific Amounts of his Alleged Damages or Introducing WMB's Tax Returns (related document(s) <u>82</u> Generic Motion). (Sweeney, Carolyn) (Entered: 02/10/2005)
02/11/2005	•99	Order Withdrawing Motion in Limine to Preclude Debtor and Trustee from Presenting Testimony of Previously Undisclosed Witness (related document(s) <u>79</u> Generic Motion). (Sweeney, Carolyn) (Entered: 02/11/2005)
02/12/2005	•100	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>95</u> Hearing (Adv) Cont, Hearing (Adv) Cont) Service Date 02/12/2005. (Admin.) (Entered: 02/13/2005)
02/12/2005	•101	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>96</u> Generic Order) Service Date 02/12/2005. (Admin.) (Entered: 02/13/2005)
02/12/2005	•102	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>97</u> Generic Order) Service Date 02/12/2005. (Admin.) (Entered: 02/13/2005)
02/12/2005	•103	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>98</u> Generic Order) Service Date 02/12/2005. (Admin.) (Entered: 02/13/2005)
02/13/2005	•104	BNC Certificate of Mailing - PDF Document. (RE:related documents(s) <u>99</u> Generic Order) Service Date 02/13/2005. (Admin.) (Entered: 02/14/2005)